



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/540,844	01/26/2006	Jadwiga Bienkowska	ARS-110	2201
23557	7590	09/17/2008		EXAMINER
SALIWANCHIK LLOYD & SALIWANCHIK A PROFESSIONAL ASSOCIATION PO BOX 142950 GAINESVILLE, FL 32614-2950			BUNNIE, BRIDGET E	
ART UNIT	PAPER NUMBER			
		1647		
MAIL DATE	DELIVERY MODE			
09/17/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/540,844	Applicant(s) BIENKOWSKA ET AL.
	Examiner Bridget E. Bunner	Art Unit 1647

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED. (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 24 June 2008.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 57-80 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 57-80 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 27 June 2005 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
 3) Information Disclosure Statement(s) (PTO/165/08)
 Paper No(s)/Mail Date 4/21/06 4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date _____
 5) Notice of Informal Patent Application
 6) Other: Revised Notice; PTO-90C.

DETAILED ACTION

Status of Application, Amendments and/or Claims

The amendments of 24 June 2008 and 27 June 2005 have been entered in full. Claims 1-56 are cancelled. Claims 57-80 are added.

Election/Restrictions

Applicant's election without traverse of Group I, claims 42-44, 47, 48-50 in the reply filed on 24 June 2008 is acknowledged.

Claims 57-80 are under consideration in the instant application.

Sequence Compliance

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2).

Specifically, the sequences disclosed in Figures 1 and 2 are not accompanied by the required reference to the relevant sequence identifiers. This application fails to comply with the requirements of 37 CFR 1.821 through 1.825. Applicant must comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825). Please also see the enclosed Revised Notice to Comply and PTO-90C.

Specification

1. The disclosure is objected to because of the following informalities:
2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: "NOTCH-LIKE POLYPEPTIDES AND NUCLEIC ACIDS ENCODING THE POLYPEPTIDES".

Appropriate correction is required.

Claim Objections

3. Claim 80 is objected to because of the following informalities:
4. In claim 80, line 1 a word is missing after the term “comprising”.

Appropriate correction is required.

Claim Rejections - 35 USC § 112, second paragraph

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 57-80 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
6. The term "notch-like activity" in claims 57-80 is a relative term which renders the claims indefinite. The term "notch-like activity" is not defined by the claims, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. It is well known in the art that Notch proteins have many different activities (see for instance, specification page 2, lines 3-29). However, the specification does not define "notch-like activity" and hence, the skilled artisan would not know how to identify the claimed polypeptides of the instant invention.

Claim Rejections - 35 USC § 101 and 35 U.S.C. § 112, first paragraph

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

7. Claims 57-80 are rejected under 35 U.S.C. 101 because the claimed invention is not supported by either a credible, specific and substantial asserted utility or a well established utility. Novel biological molecules lack well established utility and must undergo extensive experimentation.

The claims are directed to an isolated polypeptide comprising (a) SEQ ID NO: 2; (b) SEQ ID NO: 4; (c) an amino acid sequence having at least 85% identity to SEQ ID NO: 2 or 4 and having notch-like activity; (d) a fusion protein comprising a heterologous sequence and a polypeptide set forth in (a) or (b) or (c); or a polypeptide as set forth in (a) or (b) or (c) or (d), wherein said polypeptide further comprises radioactive labels, fluorescent labels, biotin, or cytotoxic agents. The claims are also directed to nucleic acid molecules that encode such polypeptides. Claim 79 recites a vector comprising the nucleic acid. Claim 80 recites an isolated host cell comprising the nucleic acid.

The specification of the instant application discloses that “[t]he invention is based upon the identification of an Open Reading Frame (ORF) in the human genome encoding a novel notch-like polypeptide” (page 3, lines 4-6). However, the instant specification does not teach any significance or functional characteristics of the SCS0006 notch-like polypeptides (SEQ ID NO: 2, SEQ ID NO: 4) or nucleic acid molecules (SEQ ID NO: 1, SEQ ID NO: 3). The specification also does not disclose any methods or working examples that indicate the polypeptides and nucleic acids of the instant invention are involved in any activity. There is no

biological activity, expression pattern, phenotype, disease or condition, ligand, binding partner, or any other specific feature that is disclosed as being associated with SCS0006. Without any information as to the specific properties of SCS0006, the mere identification of the polypeptide is not sufficient to impart any particular utility to the claimed polypeptides and nucleic acids. Since significant further research would be required of the skilled artisan to determine how the claimed polypeptides and nucleic acids are involved in any activities, the asserted utilities are not substantial. Since the utility is not presented in mature form and significant further research is required, the utility is not substantial. The specification asserts the following as patentable utilities for the claimed putative polypeptides (SEQ ID NO: 2, SEQ ID NO: 4) and nucleic acids (SEQ ID NO: 1, SEQ ID NO: 3):

- 1) to produce a variant polypeptide (page 10, lines 6-30 through page 17)
- 2) to screen for compounds that enhance or reduce expression level of the polypeptide or nucleic acid (page 22, lines 1-4)
- 3) to produce antibodies against the polypeptide (page 15, lines 1-10)
- 4) to treat diseases and conditions in which the notch-like polypeptide is implicated (page 6, lines 27-29; page 7, lines 1-7; page 8, lines 18-30; page 9, lines 1-3)
- 5) to diagnose disease in a patient (page 7, lines 8-27)
- 6) to generate transgenic or “knock out” animals (page 9, lines 4-9)

Each of these shall be addressed in turn.

1) to produce a variant polypeptide. This asserted utility is not specific or substantial.

Such assays can be performed with any polypeptide. Further, the specification discloses nothing specific or substantial for the variant polypeptide that is produced by this method. Since this

Art Unit: 1647

asserted utility is also not present in mature form, so that it could be readily used in a real world sense, the asserted utility is not substantial.

2) to screen for compounds that enhance or reduce expression level of the polypeptide or nucleic acid. This asserted utility is not specific or substantial. Such assays can be performed with any polypeptide or nucleic acid. Additionally, the specification discloses nothing specific or substantial for the compounds that can be identified by this method. Since this asserted utility is also not present in mature form, so that it could be readily used in a real world sense, the asserted utility is not substantial.

3) to produce antibodies against the polypeptide. This asserted utility is not specific or substantial. Antibodies can be made to any polypeptide. However, if the specification discloses nothing specific and substantial about the polypeptide, therefore both the polypeptide and its antibodies have no patentable utility. Since this asserted utility is also not present in mature form, so that it could be readily used in a real world sense, the asserted utility is not substantial.

4) treat diseases and conditions in which the notch-like polypeptide is implicated. This asserted utility is not specific or substantial. The specification does not disclose which cells or tissues are to be targeted or which diseases or disorders are to be treated. Significant further experimentation would be required of the skilled artisan to identify individuals with such a disease or condition. The specification also does not disclose if the cells, tissues, or disorders are associated with altered levels or forms of the SCS0006 polypeptide or nucleic acid. Since this asserted utility is also not present in mature form, so that it could be readily used in a real world sense, the asserted utility is not substantial.

Art Unit: 1647

5) *to diagnose disease in a patient.* This asserted utility is not specific or substantial. Such assays can be performed with any polypeptide or nucleic acid. Further, the specification does not disclose the tissues or cell types the polypeptide or nucleic acid is normally expressed in. The specification also discloses nothing about the normal levels of expression of the polypeptide or nucleic acid or a specific DNA target. The specification does not disclose diseases associated with a SCS0006 polypeptide or nucleic acid. Since this asserted utility is also not present in mature form, so that it could be readily used in a real world sense, the asserted utility is not substantial.

6) *to generate transgenic or “knock out” animals.* This asserted utility is not specific or substantial. The specification does not disclose diseases associated with a mutated, deleted, or translocated SCS0006 gene (SEQ ID NOs: 1, 3). Significant further experimentation would be required of the skilled artisan to identify such a disease. The specification discloses nothing about whether the gene will be “knocked in” or “knocked out” or what specific tissues and cells are being targeted. Since this asserted utility is also not present in mature form, so that it could be readily used in a real world sense, the asserted utility is not substantial.

8. Claims 57-80 are also rejected under 35 U.S.C. 112, first paragraph. Specifically, since the claimed invention is not supported by either a specific and substantial asserted utility or a well established utility for the reasons set forth above, one skilled in the art clearly would not know how to use the claimed invention.

9. However, even if the claimed invention is eventually deemed to have a credible, specific and substantial asserted utility or a well established utility, claims 57, 60-61, 64-68, 71-72, and

75-80 would remain rejected under 35 U.S.C. § 112, first paragraph. Specifically, the specification teaches that the invention includes variants of the amino acid sequence recited in SEQ ID NO: 2 or SEQ ID NO: 4, wherein any amino acid specified in the chosen sequence is non-conservatively substituted, provided that no more than 15%, preferably no more than 10%, 5%, 3%, or 1% of the amino acid residues in the sequence are so changed" (page 10, lines 6-9 and lines 22-27). However, the specification does not teach any variant, fragment, or derivative of the SCS0006 polypeptide and nucleic acid other than the full-length amino acid sequences of SEQ ID NO: 2 and 4 and the full-length nucleic acid sequences of SEQ ID NOs: 1 and 3. The specification also does not teach functional or structural characteristics of the polypeptide variants, fragments, and derivatives (including the extracellular domain) recited in the claims.

The problem of predicting protein and DNA structure from sequence data and in turn utilizing predicted structural determinations to ascertain functional aspects of the protein and DNA is extremely complex. While it is known that many amino acid substitutions are generally possible in any given protein the positions within the protein's sequence where such amino acid substitutions can be made with a reasonable expectation of success are limited. Certain positions in the sequence are critical to the protein's structure/function relationship, e.g. such as various sites or regions directly involved in binding, activity and in providing the correct three-dimensional spatial orientation of binding and active sites. These or other regions may also be critical determinants of antigenicity. These regions can tolerate only relatively conservative substitutions or no substitutions (see Wells, 1990, Biochemistry 29:8509-8517; Ngo et al., 1994, The Protein Folding Problem and Tertiary Structure Prediction, pp. 492-495). However, Applicant has provided little or no guidance beyond the mere presentation of sequence data to

enable one of ordinary skill in the art to determine, without undue experimentation, the positions in the DNA and protein which are tolerant to change (e.g. such as by amino acid substitutions or deletions), and the nature and extent of changes that can be made in these positions. Even if an active or binding site were identified in the specification, they may not be sufficient, as the ordinary artisan would immediately recognize that an active or binding site must assume the proper three-dimensional configuration to be active, which conformation is dependent upon surrounding residues; therefore substitution of non-essential residues can often destroy activity. The art recognizes that function cannot be predicted from structure alone (Bork, 2000, Genome Research 10:398-400; Skolnick et al., 2000, Trends in Biotech. 18(1):34-39, especially p. 36 at Box 2; Doerks et al., 1998, Trends in Genetics 14:248-250; Smith et al., 1997, Nature Biotechnology 15:1222-1223; Brenner, 1999, Trends in Genetics 15:132-133; Bork et al., 1996, Trends in Genetics 12:425-427).

Due to the large quantity of experimentation necessary to generate the infinite number of derivatives recited in the claims and possibly screen same for activity, the lack of direction/guidance presented in the specification regarding which structural features are required in order to provide activity, the absence of working examples directed to same, the complex nature of the invention, the state of the prior art which establishes the unpredictability of the effects of mutation on protein structure and function, and the breadth of the claims which fail to recite any structural or functional limitations, undue experimentation would be required of the skilled artisan to make and/or use the claimed invention in its full scope.

Art Unit: 1647

10. Claims 57, 60-61, 64-68, 71-72, and 75-80 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The claims are directed to an isolated polypeptide comprising (a) SEQ ID NO: 2; (b) SEQ ID NO: 4; (c) an amino acid sequence having at least 85% identity to SEQ ID NO: 2 or 4 and having notch-like activity; (d) a fusion protein comprising a heterologous sequence and a polypeptide set forth in (a) or (b) or (c); or a polypeptide as set forth in (a) or (b) or (c) or (d), wherein said polypeptide further comprises radioactive labels, fluorescent labels, biotin, or cytotoxic agents. The claims are also directed to nucleic acid molecules that encode such polypeptides. Claim 79 recites a vector comprising the nucleic acid. Claim 80 recites an isolated host cell comprising the nucleic acid.

The specification teaches that the instant invention includes variants of the amino acid sequence recited in SEQ ID NO: 2 or SEQ ID NO: 4, wherein any amino acid specified in the chosen sequence is non-conservatively substituted, provided that no more than 15%, preferably no more than 10%, 5%, 3%, or 1% of the amino acid residues in the sequence are so changed" (page 10, lines 6-9 and lines 22-27). The claims of the instant application do not require that the polypeptide variants possess any particular conserved structure or other disclosed distinguishing feature. Thus, the claims are drawn to a genus of polypeptides and nucleic acids encoding such. To provide adequate written description and evidence of possession of a claimed genus, the specification must provide sufficient distinguishing identifying characteristics of the genus. The

factors to be considered include actual reduction to practice, disclosure of drawings or structure chemical formulas, sufficient relevant identifying characteristics (such as, complete or partial structure, physical and/or chemical properties, and functional characteristics when coupled with a known or disclosed structure/function correlation), methods of making the claimed product, level of skill and knowledge in the art, predictability in the art, or any combination thereof. However, in this case, the specification fails to disclose and there is no art-recognized correlation between the structure of the genus of claimed polypeptides (and nucleic acids) and their function of notch-like activity. The specification does not teach which 15% of the amino acids can vary from SEQ ID NOS: 2 and 4 and still result in a protein that retains notch-like activity. The specification also does not teach which nucleic acids that encode a polypeptide with at least 85% sequence identity to SEQ ID NO: 2 or 4 encode a polypeptide having the required notch-like activity. Therefore, the description of two notch-like polypeptides (SEQ ID NOS: 2, 4) and nucleic acids encoding such (SEQ ID NOS: 1, 3) is not adequate written description of an entire genus of functionally equivalent polypeptides and nucleic acids having notch-like activity.

Vas-Cath Inc. v. Mahurkar, 19USPQ2d 1111, clearly states that “applicant must convey with reasonable clarity to those skilled in the art that, as of the filing date sought, he or she was in possession of the invention. The invention is, for purposes of the ‘written description’ inquiry, whatever is now claimed” (See page 1117). The specification does not “clearly allow persons of ordinary skill in the art to recognize that [he or she] invented what is claimed” (See *Vas-Cath* at page 1116).

Thus, the skilled artisan cannot envision the detailed chemical structure of the polypeptide and nucleic acid variants of the encompassed claims, and therefore conception is not

Art Unit: 1647

achieved until reduction to practice has occurred, regardless of the complexity or simplicity of the method of isolation. Adequate written description requires more than a mere statement that it is part of the invention and reference to a potential method of isolating it. The polypeptides and nucleic acid molecules are required. See *Fiers v. Revel*, 25 USPQ2d 1601 at 1606 (CAFC 1993) and *Amgen Inc. v. Chugai Pharmaceutical Co. Ltd.*, 18 USPQ2d 1016.

One cannot describe what one has not conceived. See *Fiddes v. Baird*, 30 USPQ2d 1481 at 1483. In *Fiddes*, claims directed to mammalian FGF's were found to be unpatentable due to lack of written description for that broad class. The specification provided only the bovine sequence.

Therefore, only an isolated polypeptide comprising the amino acid sequence of SEQ ID NO: 2 or SEQ ID NO: 4 and nucleic acid molecules encoding such, but not the full breadth of the claims meets the written description provision of 35 U.S.C. §112, first paragraph. Applicant is reminded that *Vas-Cath* makes clear that the written description provision of 35 U.S.C. §112 is severable from its enablement provision (see page 1115).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless —

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

11. Claims 57, 60-61, 64-68, 71-72, and 75-80 are rejected under 35 U.S.C. 102(e) as being anticipated by Karim et al. (US20030100005; priority to 26 November 2001).

Karim et al. teach an isolated CRUMBS (CRB) protein that is 98% identical to the amino acid sequence of SEQ ID NO: 2 and 99% identical to the amino acid sequence of SEQ ID NO: 4 of the instant application (see SEQ ID NO: 17 of Karim et al.; also, see sequence alignments attached to the instant Office Action as Appendices A and B, respectively). Karim et al. disclose an isolated nucleic acid encoding a polypeptide that is at least 85% identical to the amino acid sequences of SEQ ID NO: 2 and SEQ ID NO: 4 (see SEQ ID NO: 8 of Karim et al.; see sequence alignments attached to the instant Office Action as Appendices C and D, respectively). Karim et al. also teach that the nucleotide sequence encoding a CRB polypeptide can be inserted into any appropriate expression vector (page 4, [0032-0033]). Karim et al. teach an isolated host cell comprising the CRB nucleic acid/vector (page 4, [0032]).

Conclusion

No claims are allowable.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bridget E. Bunner whose telephone number is (571) 272-0881. The examiner can normally be reached on 8:30-4:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Manjunath Rao can be reached on (571) 272-0939. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BEB
Art Unit 1647
10 September 2008

/Bridget E Bunner/
Primary Examiner, Art Unit 1647

Appendix A SEO ID NO: 2

US-10-303-685-17
: Sequence 17, Application US/10303685
: Publication No. US20030100005A1
: GENERAL INFORMATION:
: APPLICANT: Exelixis, Inc.
: TITLE OF INVENTION: CRBS AS MODIFIERS OF BRANCHING MORPHOGENESIS AND METHODS OF USE
: FILE REFERENCE: EX02-125C
: CURRENT APPLICATION NUMBER: US/10/303,685
: CURRENT FILING DATE: 2002-11-25
: PRIOR APPLICATION NUMBER: 60/333,388
: PRIOR FILING DATE: 2001-11-26
: NUMBER OF SEQ ID NOS: 17
: SOFTWARE: PatentIn version 3.1
: SEQ ID NO 17
: LENGTH: 1307
: TYPE: PRT
: ORGANISM: Homo sapiens
US-10-303-685-17

Query Match	98.0k	Score 6765.5	DB 4	Length 1307
Best Local Similarity	93.4k	Pred. No. 0.		
Matches 1221; Conservative	0;	Mismatches	3;	Indels 83; Gaps 3
Qy	13	MALARP GTTPD QPQLASV LLLLWAP APLSLLA-----	GTVSEP	50
Db	1			60
Qy	51	PSACASDP CAPGTECQATESSGGYTCGPMEPRGCATQPCHHAGLCPVQGPDPNGFRCYCV	110	
Db	61	PSACASDP CAPGTECQATESSGGYTCGPMEPRGCATQPCHHAGLCPVQGPDPNGFRCYCV	120	
Qy	111	GFQGP RCELD I D E C A S R P C H H G A T C R N L A D R Y E C H C P L G Y A G V T C E H E V D E C A S A P C L H G	170	
Db	121	GFQGP RCELD I D E C A S R P C H H G A T C R N L A D R Y E C H C P L G Y A G V T C E H E V D E C A S A P C L H G	180	
Qy	171	GSCLDG VGS FRC V C V C A P G Y G G T R C Q L D B L D E C Q S Q P C A H G G T C H D L V N G F R C D C A G T G Y E G T	230	
Db	181	GSCLDG VGS FRC V C V C A P G Y G G T R C Q L D B L D E C Q S Q P C A H G G T C H D L V N G F R C D C A G T G Y E G T	240	
Qy	231	H C E R E V L E C A S A P C H E H N A S C L E G L G S F R C L C W P G Y S G E L C V E D E D E C A S S P C Q H G R C L Q	290	
Db	241	H C E R E V L E C A S A P C H E H N A S C L E G L G S F R C L C W P G Y S G E L C V E D E D E C A S S P C Q H G R C L Q	300	
Qy	291	RSDP ALYGGVQAAFPGAFSFR HAAGFLCH C P P G F E -----		325
Db	301	RSDP ALYGGVQAAFPGAFSFR HAAGFLCH C P P G F E G A D C G V E V D E C A S R P C L N G G H C Q D L		360
Qy	326	----- GPT CEE D W D E C L S P D C L H G G T C S D T V A G Y I C R C P E T W G G R D C S V Q L T		372
Db	361	----- GPT CEE D W D E C L S P D C L H G G T C S D T V A G Y I C R C P E T W G G R D C S V Q L T		420
Qy	373	GCGC HGT C P L A A T C I P F E S G V H S T V C H C P P G T H G P F C G Q N T T F S V M A G S P I Q A S V P A G G		432
Db	421	GCGC HGT C P L A A T C I P F E S G V H S T V C H C P P G T H G P F C G Q N T T F S V M A G S P I Q A S V P A G G		480

Art Unit: 1647

Qy	433	LGLALRFRTTLPGTTLATRNDTKESLELALVAATLQATLWSYSTTVVLRLPDLALNDGH	492
Db	461	LGLALRFRTTLPGTTLATRNDTKESLELALVAATLQATLWSYSTTVVLRLPDLALNDGH	540
Qy	493	WHQVEVVLHLATLELRLWHEGCPARLCVASGPVALASTASATPLPAGISSAQLGDATFAG	552
Db	541	WHQVEVVLHLATLELRLWHEGCPARLCVASGPVALASTASATPLPAGISSAQLGDATFAG	600
Qy	553	CLQDVFRVDGHLLPEDLGENVLLGCERREQCRLPVCVHGGSCVDLWTHFRCDCARPHRGD	612
Db	601	CLQDVFRVDGHLLPEDLGENVLLGCERREQCRLPVCVHGGSCVDLWTHFRCDCARPHRGD	660
Qy	613	TCADEIPAATFLGLGAPSSASFLLQELPGPNLTVSPFLRTRTRESAGLLLQFANDISAAGLT	672
Db	661	TCADEIPAATFLGLGAPSSASFLLQELPGPNLTVSPFLRTRTRESAGLLLQFANDISAAGLT	720
Qy	673	FLSEGGRIRAEAPGSPAVVLPGRMDGLRHLVHLSFGPDQLDLGQHVHVGRLLAADSQP	732
Db	721	FLSEGGRIRAEVPGSPAVVLPGRWDGLRHLVHLSFGPDQLDLGQHVHVGRLLAADSQP	780
Qy	733	UGGPFRGCLQDLRLDGCHLPFFPLPLNNSQPSSELGGRSWNLTAGCVSEDMCSPDPFCN	792
Db	761	UGGPFRGCLQDLRLDGCHLPFFPLPLNNSQPSSELGGRSWNLTAGCVSEDMCSPDPFCN	840
Qy	793	GGTCLVNTNDFHCTCPANFTGPTCAQQLWCPGQPCLPPATCEEVPDGFVVAEATFREGP	852
Db	841	GGTCLVNTNDFHCTCPANFTGPTCAQQLWCPGQPCLPPATCEEVPDGFVVAEATFREGP	900
Qy	853	PAAFSGHNASSGRLLGGSLAFRTRDSEAWLRAAGALEGVULAVRNGLSLAGGVVRGGH	912
Db	901	PAAFSGHNASSGRLLGGSLAFRTRDSEAWLRAAGALEGVULAVRNGLSLAGGVVRGGH	960
Qy	913	LPGAVLPPIPGRPVADGAHVRVRLAHERPAATTSRWLWLGDGAATPVALRGLASDLGFLQG	972
Db	961	LPGAVLPPIPGRPVADGAHVRVRLAHERPAATTSRWLWLGDGAATPVALRGLASDLGFLQG	1020
Qy	973	PGAVRILLAENFTGCLGR-----~HFASWPGTPAPILGCRGAP	1009
Db	1021	PGAVRILLAENFTGCLGRVALGGLPLPLARPRPGAAAGAREHFASWPGTPAPILGCRGAP	1080
Qy	1010	VCAPSPCLHDGACRDLFDAFACACGPGWEGPRCEAHVDPCHSAPCARGRCHTPDGRFEC	1069
Db	1061	VCAPSPCLHDGACRDLFDAFACACGPGWEGPRCEAHVDPCHSAPCARGRCHTPDGRFEC	1140
Qy	1070	RCPGFGGGPCLRPLVPSKECSLNVTCLDGSPCEGGSPAANCSCLEGGLGQRQCQVPLPCE	1129
Db	1141	RCPGFGGGPCLRPLVPSKECSLNVTCLDGSPCEGGSPAANCSCLEGGLGQRQCQVPLPCE	1200
Qy	1130	ANPCLNNGGTCTRAAGGUSECICNARFSGQFCEVAKGLPLPLPFPLLEVAVPAACACLLLL	1169
Db	1201	ANPCLNNGGTCTRAAGGUSECICNARFSGQFCEVAKGLPLPLPFPLLEVAVPAACACLLLL	1260
Qy	1190	LGLLSGILAAKRRQSEGTYSPSQQEVAGARLENDSVLKVPPEERLI	1236
Db	1261	LGLLSGILAAKRRQSEGTYSPSQQEVAGARLENDSVLKVPPEERLI	1307

Art Unit: 1647

Qy 383 GGPLGLALRFRTTLPAGTLATRNDTKESELALVAATLQATLWSYSTTVLVLRPDLALN 442
 |||||||
 Db 478 GGPLGLALRFRTTLPAGTLATRNDTKESELALVAATLQATLWSYSTTVLVLRPDLALN 537
 |||||||
 Qy 443 DGHWHWQEVVLLHATLELRLWHEGCPARLCVASGPVALASTASATPLPAGISSAQLGDAT 502
 |||||||
 Db 538 DGHWHWQEVVLLHATLELRLWHEGCPARLCVASGPVALASTASATPLPAGISSAQLGDAT 597
 |||||||
 Qy 503 FAGCLQDVVRDGHLLPEDLGENVLGCERREQCRCRPLPCVHGGSCVDLWTHFRCDCARPH 562
 |||||||
 Db 598 FAGCLQDVVRDGHLLPEDLGENVLGCERREQCRCRPLPCVHGGSCVDLWTHFRCDCARPH 657
 |||||||
 Qy 563 RGPCTADEIPAAATFGLOGPSSASFILLQELPGPNLTVSFLRLTRESAGLLQFANDSAAG 622
 |||||||
 Db 658 RGPCTADEIPAAATFGLOGPSSASFILLQELPGPNLTVSFLRLTRESAGLLQFANDSAAG 717
 |||||||
 Qy 623 LTVFLSEGRIRAEAPGSPAVALPGRWDDDLRHLHVLMSFGPDQLQD LGHVHVGGRLLAAD 682
 |||||||
 Db 718 LTVFLSEGRIRAEAPGSPAVALPGRWDDDLRHLHVLMSFGPDQLQD LGHVHVGGRLLAAD 777
 |||||||
 Qy 683 SQPWGGPFRCQLQDLRLDGCHLPFFPLPDNSSQPSELGGRQSWNLTAGCVSEDNCSPDP 742
 |||||||
 Db 778 SQPWGGPFRCQLQDLRLDGCHLPFFPLPDNSSQPSELGGRQSWNLTAGCVSEDNCSPDP 837
 |||||||
 Qy 743 CFNGGTCLVTWMDFHCTCPANFTGPTCAQQLWCPGPQCLPPATCEEVPDGFCVVAEATFR 802
 |||||||
 Db 838 CFNGGTCLVTWMDFHCTCPANFTGPTCAQQLWCPGPQCLPPATCEEVPDGFCVVAEATFR 897
 |||||||
 Qy 803 EGPPAFAFGHNASGRLLGGSLAFRTRDSEAWLLRAAAGALEGVWLAVRNNGSLAGGVRC 862
 |||||||
 Db 898 EGPPAFAFGHNASGRLLGGSLAFRTRDSEAWLLRAAAGALEGVWLAVRNNGSLAGGVRC 957
 |||||||
 Qy 863 GHGLPGAVLPIPGPRVADGAWHRVRLAMERPAATTSRWLWLWDGAATPVALRGLASDGF 922
 |||||||
 Db 958 GHGLPGAVLPIPGPRVADGAWHRVRLAMERPAATTSRWLWLWDGAATPVALRGLASDGF 1017
 |||||||
 Qy 923 LQGPAGAVRILLAENFTGCLGR-----HFASWPGTPAPILGCR 959
 |||||||
 Db 1018 LQGPAGAVRILLAENFTGCLGRVALGGPLPLWRPRPGAAPGAREHFASWPGTPAPILGCR 1077
 |||||||
 Qy 960 GAPVCAPSPCLHDGACRDLFDFAFACAGCPGWEGPRCEAHVPCHSAPCARGRCHTHPDGR 1019
 |||||||
 Db 1078 GAPVCAPSPCLHDGACRDLFDFAFACAGCPGWEGPRCEAHVPCHSAPCARGRCHTHPDGR 1137
 |||||||
 Qy 1020 FECRCPGFGGPRCRLPVPSKECISLNVTCLDGSPECGGSPAANCSCLELAGQRQCVPRTL 1079
 |||||||
 Db 1138 FECRCPGFGGPRCRLPVPSKECISLNVTCLDGSPECGGSPAANCSCLELAGQRQCVPRTL 1197
 |||||||
 Qy 1080 PCEANPCLNNGTCRAAGGVSECICNARFSGGFCEVAKGLPLPLPPPLLEVAVPAACACLL 1139
 |||||||
 Db 1198 PCEANPCLNNGTCRAAGGVSECICNARFSGGFCEVAKGLPLPLPPPLLEVAVPAACACLL 1257
 |||||||
 Qy 1140 LLLLQLLSGILAARKRRQSEGTYSPSQQEVARLEHDSVLKVPPEERLI 1189
 |||||||
 Db 1258 LLLLQLLSGILAARKRRQSEGTYSPSQQEVARLEHDSVLKVPPEERLI 1307

Art Unit: 1647

Appendix C
DNA encoding SEQ ID NO: 2

```
US-10-303-685-8
; Sequence 8, Application US/10303685
; Publication No. US20030100005A1
; GENERAL INFORMATION:
; APPLICANT: Exelixis, Inc.
; TITLE OF INVENTION: CRBs AS MODIFIERS OF BRANCHING MORPHOGENESIS AND METHODS OF USE
; FILE REFERENCE: EX02-125C
; CURRENT APPLICATION NUMBER: US/10/303,685
; CURRENT FILING DATE: 2002-11-25
; PRIOR APPLICATION NUMBER: 60/333,386
; PRIOR FILING DATE: 2001-11-26
; NUMBER OF SEQ ID NOS: 17
; SOFTWARE: PatentIn version 3.1
; SEQ ID NO 8
; LENGTH: 3786
; TYPE: DNA
; ORGANISM: Homo sapiens
US-10-303-685-8
```

Alignment Scores:

Pred. No.:	0	Length:	3786
Score:	6808.00	Matches:	1221
Percent Similarity:	96.8%	Conservative:	0
Best Local Similarity:	96.8%	Mismatches:	3
Query Match:	96.6%	Indels:	36
DB:	7	Gaps:	1

US-10-540-844-2 (1-1236) x US-10-303-685-8 (1-3786)

Qy	13 MetAlaLeuAlaArgProGlyThrProAspProGlnAlaLeuAlaSerValLeuLeuLeu 32
Db	1 ATGGCGCTGGCCAGGGCTGGGACCCGGACCCCCAGGGCCCTGGCCTCTGTCTGTACTG 60
Qy	33 LeuLeuTrpAlaProAlaLeuSerLeuLeuAlaGlyThrValProSerGluProProSer 52
Db	61 CTGCTCTGGGCCCTGGCCCTTCCCTCTGGCTGGGACGGTGCCCTTCAGAGCCCCAGT 120
Qy	53 AlaCysAlaSerAspProCysAlaProGlyThrGluCysGlnAlaThrGluSerGlyGly 72
Db	121 GCCTGTGCTCATGACCCCGTGCCGCTCCAGGGACCGAGTGCCAGGCTACCGAGAGTGGTGGC 180
Qy	73 TyrThrCysGlyProMetGluProArgGlyCysAlaThrGlnProCysHisHisGlyAla 92
Db	181 TATACCTGTGGGCCATGGAGCCCCGGGCTGTGCCACCCAGCCATGCCACCACGGCGCT 240
Qy	93 LeuCysValProGlnGlyProAspProAsnGlyPheArgCysTyrCysValProGlyPhe 112
Db	241 CTGTTGTTGCCCCAGGGTCCAGATCCCACCCGGCTTCCGGCTGCTACTTGCCTGCCCGGTTT 300
Qy	113 GlnGlyProArgCysGluLeuAspIleAspGluCysAlaSerArgProCysHisHisGly 132
Db	301 CAGGGCCCACGCTGGAGCTGGACATCGATGAGTGTGCATCCGGCGTGGCACCATGGG 360

Art Unit: 1647

Qy	133 AlaThrCysArgAsnLeuAlaAspArgTyrGluCysHisCysProLeuGlyTyrAlaGly	152
Db	361 GGCACCTGCGCAACCTGGCGATGCCCTACGAGTGGCCATTGCCCTTGGCTATGCGAGC 420	
Qy	153 ValThrCysGluMetGluValAspLysGluCysAlaSerAlaProCysLeuHisGlyGlySer	172
Db	421 GTGACCTCGCAAGATGGAGCTGGACGAGTCGCCCTAGCGCCCTGCCCTACCGGGGGCTCG 480	
Qy	173 CysLeuAspGlyValGlySerPheArgCysValCysAlaProGlyTyrGlyGlyThrArg	192
Db	481 TGCCCTGGACGGCGTGGCTCCTTCCCTGTGTGCGGGCCAGGCTACGGGGGGCACCGT 540	
Qy	193 CysGlnIleuAspLeuAspGluCysGlnSerGlnProCysAlaHisGlyGlyThrCysHis	212
Db	541 TGGCAGCTGGACCTCGACGAGTGGCCAGGCCAGCCCTGCCACATGGGGGACAGTGCCAC 600	
Qy	213 AspLeuValAsnGlyPheArgCysAspCysAlaGlyThrGlyTyrGlyGlyThrHisCys	232
Db	601 GACCTGGTCACCGGTTCCCGTGCAGTCGCGGGCACCCGCTACGAGGGCACGGCACTGC 660	
Qy	233 GluArgGluValLeuGluCysAlaSerAlaProCysGluHisAsnAlaSerCysLeuGlu	252
Db	661 GAGCGGGAGGTCTGGAGTGGCATCGGCATCGGGGCCCTGGAGCACACGGCTCTGCTCGAG 720	
Qy	253 GlyLeuGlySerPheArgCysLeuCysTrpProGlyTyrSerGlyGluLeuCysGluVal	272
Db	721 GGCCTCGGGAGCTTCGCTGCCTCTGTGGCCAGGCTACAGCGGGGAGCTGTGGAGGTG 780	
Qy	273 AspGluAspGluCysAlaSerSerProCysGinHisGlyGlyArgCysLeuGinArgSer	292
Db	781 GACGAGGACGACTGTGCATCGAGCCCCCTGCCAGCATGGGGGCCATGGCTCAGGGCTCT 840	
Qy	293 AspProAlaLeuTyrGlyValGlnAlaAlaPheProGlyAlaPheSerPheArgHis	312
Db	841 GACCCGGCCCTACTGGGGGTGTCAGGCCGCCCTCCCTGGCGCCTTCAGCTTCCGCCAT 900	
Qy	313 AlaAlaGlyPheLeuCysHisCysProProGlyPheGlu-----	325
Db	901 GCTGCGGGTTCCCTGTGCCACTGCCCTCTGGCTTGAGGGAGCCGACTCGGGTGTGGAG 960	
Qy	325 -----	325
Db	961 GTGGACGAGTGTGCCATCGGCCATGCCCTACCGAGGCCACTGCCAGGACTGCCAAAT 1020	
Qy	326 -----GlyProThrCysGluGluAspValAsp	334
Db	1021 GGCTTCCAGTGTCACTGCCAGATGGCTACGCCAGGCCAGATGTGAGGAAGATGTGGAT 1080	
Qy	335 GluCysLeuSerAspProCysLeuHisGlyGlyThrCysSerAspThrValAlaGlyTyr	354
Db	1081 GAATGCCCTGTCGGATCCCTGCCCTCACGGCGGAACTGCACTGTGAGGCTAT 1140	
Qy	355 IleCysArgCysProGluThrTrpGlyGlyArgAspCysSerValGinLeuThrGlyCys	374
Db	1141 ATCTGCAGGTGCCAGAGACCTGGGGTGGCGCGACTGTTCTGTGAGCTCACTGGCTGC 1200	

Art Unit: 1647

Qy	375	GlnGlyHisThrCysProLeuAlaAlaThrCysIleProIlePheGluSerGlyValHis	394
Db	1201	CAGGGCCACACCTGCCGCTGGCTGCCACCTGCATCCTATCTCGAGTCTGGGTCCAC	1260
Qy	395	SerTyrValCysHisCysProProGlyThrHisGlyProPheCysGlyGlnAsnThrThr	414
Db	1261	AGTTACGTCTGCCACTGCCACCTGGTACCCATGGACCGTTCTGTGGCCAGAACACCAC	1320
Qy	415	PheSerValMetAlaGlySerProIleGinAlaSerValProAlaGlyGlyProLeuGly	434
Db	1321	TTCCTCTGATGGCTGGAGGCCCATCAGGCATCAGTGGCACGCTGGTGCCCCCTGGT	1380
Qy	435	LeuAlaLeuArgPheArgThrThrLeuProAlaGlyThrLeuAlaThrArgAsnAspThr	454
Db	1381	CTGGCACTGAGGTTCGACCACTGGCCGCTGGGACCTTGCCACTCGCAATGACACC	1440
Qy	455	LysGluSerLeuGluLeuAlaLeuValAlaAlaAlaThrLeuGinAlaThrLeuTrpSerTyr	474
Db	1441	AAAGAAAGCTTGGACTGGCATTTGGTGCGACGCCACTTCAGGCCACACTCTGGAGCTAC	1500
Qy	475	SerThrThrValLeuValLeuArgLeuProAspLeuAlaLeuAsnAspGlyHisTrpHis	494
Db	1501	AAGCACCACCTGTGCTTGCTCTGAGACTGGCGACCTGGCCCTAAACGATGGCATTGGCAC	1560
Qy	495	GlnValGluValValLeuHisLeuAlaThrLeuGluLeuArgLeuTrpHisGluGlyCys	514
Db	1561	CAGGTGGAGGTGGCTCCATCTAGGGACCCCTGGAGCTACGGCTCTGGCATGAGGGCTGC	1620
Qy	515	ProAlaIleLeuCysValAlaSerGlyProValAlaLeuAlaSerThrAlaSerAlaThr	534
Db	1621	CCTGGCCGGCTCTGTGGCCCTCTGGCTCTGTGGCCCTGGCTTCCACGGCTTCCGCAACT	1680
Qy	535	ProLeuProAlaGlyIleSerSerAlaGinLeuGlyAspAlaThrPheAlaGlyCysLeu	554
Db	1681	CCGGCTGCTGGCCGGATCTCTCTGGCCAGCTGGGGGACCCGACCTTTCGAGGCTGCGCTC	1740
Qy	555	GlnAspValIleValAspGlyHisLeuLeuLeuProGluAspLeuGlyGluAsnValLeu	574
Db	1741	CAGGACGTCGGTGGATGGCACCTCTGCTGAGGATCTCGGTGAGAACGTCCTC	1800
Qy	575	LeuGlyCysGluArgArgGluGinCysArgProLeuProCysValHisGlyGlySerCys	594
Db	1801	CTGGGCTGTGAGGCCGAGAGCAGTCCGGCTCTGGCTTGTCACGGAGGGTCCCTGT	1860
Qy	595	ValAspLeuTrpThrHisPheArgCysAspCysAlaArgProHisArgGlyProThrCys	614
Db	1861	GTGGATCTGTGGACTCATTCGGTGGCAGCTGTGGCCGGCCCATAGAGGTCCCAGTC	1920
Qy	615	AlaAspGluIleProAlaAlaThrPheGlyLeuGlyGlyAlaProSerSerAlaSerPhe	634
Db	1921	GCTGATGAGATTCCTGTCACCTTGGCTGGAGGCCAGCTCTGCTCCTTT	1980

Art Unit: 1647

Qy	635 LeuLeuGlnGluLeuProGlyProAsnLeuThrValSerPheLeuLeuArgThrArgGlu 654
Db	1981 CTGCTCCAAAGAGCTGCCAGGTCCAACCTCACAGTGTCTTCCTCTCCGCACTCGGGAG 2040
Qy	655 SerAlaGlyLeuLeuLeuGlnPheAlaAlaAsnAspSerAlaAlaGlyLeuThrValPheLeu 674
Db	2041 TCGCTGGCTGTGCTCCAGTTGCCAATGACTCCGCACTCGCTAACAGTATTCTG 2100
Qy	675 SerGluGlyArgIleArgIleGluAlaProGlySerProAlaValValLeuProGlyArg 694
Db	2101 AGTGAGGGTGGATCCGGGCTGAAGGTGCCGGCAGTCCTGCTGTAGTGCTCCCTGGCGC 2160
Qy	695 TrpAspAspGlyLeuArgHisLeuValMetLeuSerPheGlyProAspGlnLeuGlnAsp 714
Db	2161 TGGGATGATGGGCTCGTCGTCACCTGGTGTAGCTCAGCTTCGGGCCTGACCAGCTGGAGAC 2220
Qy	715 LeuGlyGinHisValHisValGlyGlyArgLeuLeuAlaAlaAspSerGlnProTrpGly 734
Db	2221 CTGGGGCAGCACGGTGCACGTGGGTGGGGAGGCTCTTGTGCGCACGCCAGCCCCTGGGGT 2280
Qy	735 GlyProPheArgGlyCysLeuGlnAspLeuArgLeuAspGlyCysHisLeuProPhePhe 754
Db	2281 GGGCCCTTCCGAGGCTGCCCTCCAGGACCTGCGACTCATGGCTGCCACCTCCCCCTTT 2340
Qy	755 ProLeuProLeuAspAsnSerSerGlnProSerGluLeuGlyArgGlnSerTrpAsn 774
Db	2341 CCTCTGCCACTGGATAACTCAAGGCCAGCCAGCAGCTGGCGCAGTCCTGGAAAC 2400
Qy	775 LeuThrAlaGlyCysValSerGluAspMetCysSerProAspProCysPheAsnGlyGly 794
Db	2401 CTCACTGGGGCTGCCGTCTCGAGACATGTCAGCTCTGACCCCTGTTCAATTGGGG 2460
Qy	795 ThrCysLeuValThrTrpAsnAspPheHisCysThrCysProAlaAsnPheThrGlyPro 814
Db	2461 ACTTGCCTCGTCACCTGGAATGACTTCACTGTACCTGCCAATTTCACGGGGCT 2520
Qy	815 ThrCysAlaGlnGinLeuTrpCysProGlyGlnProCysLeuProProAlaThrCysGlu 834
Db	2521 ACGTGTGCCAACAGCTGTGGTGTGCCGGCAGGCCCTGCTCCACCTGCCACGTGTGAG 2580
Qy	835 GluValProAspGlyPheValCysValAlaGluAlaThrPheArgGluGlyProProAla 854
Db	2581 GAGGTCCCTGATGGCTTTGTGTGTGTGCCGGAGGCCACGTTCCGGAGGGTCCCCCGCC 2640
Qy	855 AlaPheSerGlyHisAsnIlaSerSerGlyArgLeuLeuGlyLeuSerLeuAlaPhe 874
Db	2641 GCGTTCAGGGGCACAACGGTGTCAAGGGCGCTTGCTGGCGGCCCTGTCGCTGGCCTTT 2700
Qy	875 ArgThrArgAspSerGluIlaTrpLeuLeuArgAlaAlaAlaGlyAlaLeuGluGlyVal 894
Db	2701 CGCACGGCGACTCCGAGGGCTGGCTGCTGGGTGCCGGGGGGGGCGCTGGGAAGGCGTG 2760
Qy	895 TrpLeuAlaValArgAsnGlySerLeuAlaGlyGlyValArgGlyGlyHisGlyLeuPro 914
Db	2761 TGGCTGGGGTGCAGCAATGGCTGGCTGGGGGGGGCTGGCGGGAGGCCATGGCCTGCC 2820

Art Unit: 1647

Qy	915	GlyAlaValLeuProIleProGlyProArgValAlaAspGlyAlaTrpHisArgValArg 934
Db	2821	GGCGCTGCTGCCATACCGGGCCGGCGGTGGCGATGGTGCCTGGCACCGCGTGGT 2880
Qy	935	LeuAlaMetGluArgProAlaAlaAlaThrSerArgTrpLeuLeuAspGlyAla 954
Db	2881	CTGGCCATGGAGCCGGCGGCCACCACCTCGCGCTGGCTGGCTGGATGGTGCC 2940
Qy	955	AlaThrProValAlaLeuArgGlyLeuAlaSerAspLeuGlyPheLeuGlnGlyProGly 974
Db	2941	GCCACCCCCGGTGGCGCTGCGCGGCCCTGGCAAGTGACCTGGCTTCCCTGCAGGGCCGGGT 3000
Qy	975	AlaValArgIleLeuLeuAlaGluAsnPheThrGlyCysLeuGlyArgHisPheAlaSer 994
Db	3001	GCTGTGCGCATCTGCTGCTGAGACTTCACCGGCTGCTGGCCGCCACTTCGGCT 3060
Qy	995	TrpProGlyThrProAlaProIleLeuGlyCysArgGlyAlaProValCysAlaProSer 1014
Db	3061	TGGCGTGGGACGCCGGCCCGATCCCTGGCTGCCGGGGGGCGCTGTGTGGGCCCTGG 3120
Qy	1015	ProCysLeuIleAspGlyAlaCysArgAspLeuPheAspAlaPheAlaCysAlaCysGly 1034
Db	3121	CCCTGTCTGACGACGGTGCTGCCGTGACCTCTTCGACGCCCTTGCTGCCGCCCTGGC 3180
Qy	1035	ProGlyTrpGluGlyProArgCysGluAlaHisValAspProCysHisSerAlaProCys 1054
Db	3181	CCGGGGTGGAAAGGCCGGCGCTGGAAAGGCCACGCTGACCCCTGTCACTCCGCCCTGCG 3240
Qy	1055	AlaArgGlyArgCysHisThrHisProAspGlyArgPheGluCysArgCysProProGly 1074
Db	3241	GCCCCGTGGCCGGCTGTCACAGCACCCGGACGGCGCTTGAGTGGCTGCCGCCCTGG 3300
Qy	1075	PheGlyGlyProArgCysArgLeuProValProSerLysGluCysSerLeuAsnValThr 1094
Db	3301	TTCGGGGGCCGGCCTGCAGGGTGCCTGTCCCCTCAAGGGAGTGCAGCCTGAATGTCACC 3360
Qy	1095	CysLeuAspGlySerProCysGluGlyGlySerProAlaAlaAsnCysSerCysLeuGlu 1114
Db	3361	TGCGCTGATGGCAGGCCATGTGAGGGTGGCTCTCCGGCTGCCAACCTGCAGCTGCCCTGGAG 3420
Qy	1115	GlyLeuAlaGlyGlnArgCysGlnValProThrLeuProCysGluAlaAsnProCysLeu 1134
Db	3421	GGTCTTGCTGGGAGAGGGTGTCAAGGTCCTCTCCCCACTCTCCCTGTGAAGGCAACCCCTGCTTGG 3480
Qy	1135	AsnGlyGlyThrCysArgAlaAlaGlyGlyValSerGluCysIleCysAsnAlaArgPhe 1154
Db	3481	AATGGGGGCACCTGCCGGCAGCTGGAGGGGTGTCTGAATGTATCTGCAATGCCAGATTG 3540
Qy	1155	SerGlyGlnPheCysGluValAlaLysGlyLeuProLeuProLeuProPheProLeuLeu 1174
Db	3541	TCCGGCCAGTTCTGTGAAGTGGCGAAGGGCTGCCCTGCGCTGCCATTCCACTGCTG 3600

Art Unit: 1647

Qy	1175 GluValAlaValProAlaAlaCysAlaCysLeuLeuLeuLeuLeuGlyLeuLeuSer 1194
Db	3601 GAGGTGGCCGTACCTGCAGCCTGTGCCCTGCCCTCTGGGCTTCA 3660
Qy	1195 GlyIleLeuAlaAlaArgLysArgArgGinSerGluGlyThrTyrSerProSerGlnGln 1214
Db	3661 GGGATCTGGCAAGCCCCGAAAGCGCCGCCAGTCTGAGGGCACCTACAGCCCAGCCAGCAG 3720
Qy	1215 GluValAlaGlyAlaArgLeuGluMetAspSerValLeuLysValProProGluArg 1234
Db	3721 GAGGTGGCTGGGGCCGGCTGGAGATGGACAGTGTCCCTAAGGTGCCACCGGAGGGAGAGA 3780
Qy	1235 LeuIle 1236
Db	3781 CTCATC 3786

Art Unit: 1647

Appendix D
DNA encoding SEQ ID NO: 4

```
US-10-303-685-8
: Sequence 6, Application US/10303685
: Publication No. US20030100005A1
: GENERAL INFORMATION:
: APPLICANT: Exelixis, Inc.
: TITLE OF INVENTION: CRES AS MODIFIERS OF BRANCHING MORPHOGENESIS AND METHODS OF USE
: FILE REFERENCE: EX02-125C
: CURRENT APPLICATION NUMBER: US/10/303,685
: CURRENT FILING DATE: 2002-11-25
: PRIOR APPLICATION NUMBER: 60/333,388
: PRIOR FILING DATE: 2001-11-26
: NUMBER OF SEQ ID NOS: 17
: SOFTWARE: PatentIn version 3.1
: SEQ ID NO: 8
: LENGTH: 3786
: TYPE: DNA
: ORGANISM: Homo sapiens
US-10-303-685-8
```

Alignment Scores:

Pred. No.:	0	Length:	3786
Score:	6635.00	Matches:	1186
Percent Similarity:	96.7%	Conservative:	0
Best Local Similarity:	96.7%	Mismatches:	3
Query Match:	99.4%	Indels:	38
DB:	7	Gaps:	1

US-10-540-844-4 (1-1189) x US-10-303-685-8 (1-3786)

Qy	1 SerGluProProSerAlaCysAlaSerAspProCysAlaProGlyThrGluCysGlnAla 20
Db	106 TCAGAGCCCCCACTGCGCTGTGCGCTCACAGCCGTGCCAGGGACCGAGTGCAGGCT 165
Qy	21 ThrGluSerGlyGlyTyrThrCysGlyProMetGluProArgGlyCysAlaThrGlnPro 40
Db	156 ACCGAGAGTGGTGCCTATACCTGTTGGCCCCATGGAGCCCCGGGCTGTGCCACCCAGCCA 225
Qy	41 CysHisHisGlyAlaLeuCysValProGinGlyProAspProAsnGlyPheArgCysTyr 60
Db	226 TGCACCACGGCGCTCTGTTGTCGCCAGGGTCAGATCCCACCGGCTTCCGCTGCTAC 285
Qy	61 CysValProGlyPheGlnGlyProArgCysGluLeuAspIleAspGluCysAlaSerArg 80
Db	286 TGGGTGCCGGTTTCAGGGCCACGCTGCGAGCTGACATCGATGAGTGTGCATCCCCG 345
Qy	81 ProCysHisHisGlyAlaThrCysArgAsnLeuIleAspArgTyrGluCysHisCysPro 100
Db	346 CCGTGCCACCATGGGCCACCTGCCGACCTGGCCGATGCCATCGAGTGCCATTGCC 405
Qy	101 LeuGlyTyrAlaGlyValThrCysGluMetGluValAspGluCysAlaSerAlaProCys 120
Db	406 CTTGGCTATGAGGCGTGAACCTGCGAGATGGAGGTGGACGAGTGCAGGCCCTGC 465

Art Unit: 1647

Qy	121	LeuHisGlyGlySerCysLeuAspGlyValGlySerPheArgCysValCysAlaProGly	140
Db	466	CTGCACGGGGCTCGTGCCTGGACGGCGTGGGCTCCCTCGCTGTGTGCGCGGCCAGGC	525
Qy	141	TyrGlyGlyThrArgCysGlnLeuAspLeuAspGluCysGlnSerGlnProCysAlaHis	160
Db	526	TACGGGGCACCCGTTGCCAGCTGGACCTCGACGAGTGCCAGGCCAGCGTCACAT	585
Qy	161	GlyGlyThrCysHisAspLeuValAsnGlyPheArgCysAspCysAlaGlyThrGlyTyr	180
Db	586	GGGGCACGCTGCCACGACCTGGTCAACGGGTTCCGGTGCACGGGGCAGCCGCTAC	645
Qy	181	GluGlyThrHisCysGluArgGlyValLeuGluCysAlaSerAlaProCysGluHisAsn	200
Db	646	GAGGGCACGCACTGGAGCGGGAGGTGCTGGAGTGGCAGTCGGGCCCTGGAGCACAC	705
Qy	201	AlaSerCysLeuGluGlyLeuGlySerPheArgCysLeuCysTrpProGlyTyrSerGly	220
Db	706	GGGTCTCGCTCGAGGCCCTGGAGCTTCCGCTGCTGTGGCCAGGCTACAGGGC	765
Qy	221	GluLeuCysGlyValAspGluAspGluCysAlaSerSerProCysGlnHisGlyArg	240
Db	766	GAGCTGTGGAGGTGGACGAGGACAGTGTGCATCGAGCCCCCTGCCAGCATGGGGC	825
Qy	241	CysLeuGlnArgSerAspProAlaLeuTyrGlyGlyValGlnAlaAlaPheProGlyAla	260
Db	826	TGCTGCAGCGCTCTGACCCGGCCCTCTACGGGGGTGTCAGGCCGCTTCCCTGGGCC	885
Qy	261	PheSerPheArgHisAlaAlaGlyPheLeuCysHisCysProProGlyPheGlu-----	278

Db	886	TTCACTTCCGCCATGCTGGGGTTCTCTGGCCACTGCCCTCTGGCTTGGGGAGCC	945
Qy	278	-----	278
Db	946	GACTCGGGTGTGGAGGTGGACGAGTGTGCTCACGGCATGCCAACGGAGGCCACTGC	1005
Qy	279	-----GlyProThrCys	282
Db	1006	CAGGACCTGCCAATGGCTTCCAGTGTCACTGCCAGATGGCTACGCCAGGGCCAGATGT	1065
Qy	283	GluGluAspValAspGluCysLeuSerAspProCysLeuHisGlyGlyThrCysSerAsp	302
Db	1056	GAGGAAGATGTGGATGAATGCCCTGCGGATCCCCTGCCACGGGGAACCTGCAGTGAC	1125
Qy	303	ThrValAlaGlyTyrIleCysArgCysProGluThrTrpGlyGlyArgAspCysSerVal	322
Db	1126	ACTGTGGCAGGGCTATACTCGAGTGGCCAGAGACCTGGGGTGGCCGGACTGTTCTGTG	1185
Qy	323	GlnLeuThrGlyCysGlnGlyHisThrCysProLeuAlaAlaThrCysIleProIlePhe	342
Db	1186	CAGCTCACTGGCTGCCAGGGCCACACCTGCCCGCTGGCTGCCACCTGCATCCCTATCTC	1245
Qy	343	GluSerGlyValHisSerTyrValCysHisCysProProGlyThrHisGlyProPheCys	362
Db	1246	GAGTCTGGGTACAGTTACGTCAGCTGCCACCTGGTACCCATGGACCCTGTTCTGT	1305

Art Unit: 1647

Qy	363	GlyGinAsnThrThrPheSerValMetAlaGlySerProIleGlnAlaSerValProAla	382
Db	1306	GGCCAGAAATACCAACCTTCTCTGTGATGGCTGGGAGCCCCATTCAAGGCATCAGTGGCCAGCT	1365
Qy	383	GlyGlyProLeuGlyLeuAlaLeuArgPheArgThrThrLeuProAlaGlyThrLeuAla	402
Db	1366	GGTGGGCCCTGGTCTGGCACTGAGGTTTCGCACCCACTGCCCCTGGGACCTTGGCC	1425
Qy	403	ThrArgAsnAspThrLysGluSerLeuGluLeuAlaLeuValAlaAlaThrLcuGlnAla	422
Db	1426	ACTCGCAATGACACCAAGGAAAAGCTTGAGCTGGCATTTGGCAGCCACACTTCAGGCC	1485
Qy	423	ThrLeuTrpSerTyrSerThrThrValLeuValLeuArgLeuProAspLeuAlaLeuAsn	442
Db	1486	ACACTCTGGAGGTACAGCACCACTGTGCTTGTCTGAGACTGCGGACCTGGCCCTAAC	1545
Qy	443	AspGlyHisTrpHisGlnValGluValValLeuHisLeuAlaThrLeuGluLeuArgLeu	462
Db	1546	GATGCCATATGGCACCCAGGTGGAGGTGGCTCCATCTAGGGACCCCTGGAGCTACGGCTC	1605
Qy	463	TrpHisGluGlyCysProAlaArgLeuCysValAlaSerGlyProValAlaLeuAlaSer	482
Db	1606	TGGCATGGGGCTGCCCTGCCCCGGCTCTGTGTGGCCCTGTGTGGCCCTGGCTTCCC	1665
Qy	483	ThrAlaSerAlaThrProLeuProAlaGlyIleSerSerAlaGlnLeuGlyAspAlaThr	502
Db	1666	ACGGCTTCGGCAACTCCGCTGCGTGGGGATCTCCCTCTGCCAGCTGGGGACCGGACC	1725
Qy	503	PheAlaGlyCysLeuGlnAspValArgValaspGlyHisLeuLeuLeuProGluAspLeu	522
Db	1726	TTTGAGGCTGGCTCAGGACGTCGGCTGTGGATGGCCACCTCTGTGGCTGAGGATCTC	1785
Qy	523	GlyGluAsnValLeuLeuGlyCysGluArgArgGluGlnCysArgProLeuProCysVal	542
Db	1786	GGTGAGAACGTCCTCCCTGGGCTGTGGATGGAGCCGAGCAGTGCCGGCTCTGCCCTGTGTC	1845
Qy	543	HisGlyGlySerCysValAspLeuTrpThrHisPheArgCysAspCysAlaArgProHis	562
Db	1846	CACGGAGGGTCCCTGTGGATCTGGACTCATTTCTGGCTGTGGACTCTGGCCGGCCCAT	1905
Qy	563	ArgGlyProThrCysAlaAspGluIleProAlaAlaThrPheGlyLeuGlyGlyAlaPro	582
Db	1906	AGAGGTCCACCTGCGCTGATGAGATCTCTGTGCCACCTTGGCTTGGAGGGCCCA	1965
Qy	583	SerSerAlaSerPheLeuLeuGlnGluLeuProGlyProAsnLeuThrValSerPheLeu	602
Db	1966	AGCTCTGCCCTCTTCTGTCACAGAGCTGGCAGGTGCCAACCTCACAGTGTCTTCCTT	2025
Qy	603	LeuArgThrArgGluSerAlaGlyLeuLeuLeuGlnPheAlaAsnAspSerAlaAlaGly	622
Db	2026	CTCCGCACTCGGGAGTCCGCTGGCTTGTGCTCAGTTGGCAATGACTCCGCACTGGC	2085

Art Unit: 1647

Qy	623	LeuThrValPheLeuSerGluGlyArgIleArgAlaGluAlaProGlySerProAlaVal	642
Ds	2086	CTAACAGTATTCTGAGTGAGGGTCGGATCCGGGCTGAGGTGCCGGCAGTCCTGCTGTA	2145
Qy	643	ValLeuProGlyArgTrpAspAspGlyLeuIrgHisLeuValMetLeuSerPheGlyPro	662
Ds	2146	GTGCTCCCTGGGCCTGGGATGATGGGCTCCGTCACCTGGTGTGATGCTCAGCTTCGGCCT	2205
Qy	663	AspGinIeuGlnAspLeuGlyGlnHisValHisValGlyGlyArgLeuLeuAlaAlaAsp	682
Ds	2206	GACCAGCTGCAGGACCTGGGGCAGCACCTGACGCTGGGTGGGAGGCTCCCTGCTGCCGAC	2265
Qy	683	SerGlnProTrpGlyGlyProPheArgGlyCysLeuGlnAspLeuArgLeuAspGlyCys	702
Ds	2266	AGCCAGGCCCTGGGGTGGGCCCTTCAGGGCTGCTCAGGACCTCGACTCGATGGCTGC	2325
Qy	703	HisLeuProPhePheProLeuProLeuAspAsnSerSerGlnProSerGluLeuGlyGly	722
Ds	2326	CACCTCCCCCTTTCTCTGCACTGGATAACTCAAGCAGCCCAGCGAGCTGGGGC	2385
Qy	723	ArgGlnSerTrpAsnIeuThrAlaGlyCysValSerGluAspMetCysSerProAspPro	742
Ds	2386	AGGCAGTCCTGGAAACCTCACTGGGGCTGCGTCTCCGAGGACATGTGCACTGCTGACCC	2445
Qy	743	CysPheAsnGlyGlyThrCysLeuValThrTrpAsnAspPheHisCysThrCysProAla	762
Ds	2446	TGTTTCAATGGTGGGACTTGCTCTGTCACCTGGAAATGACTTCCACTGTACCTGGCCCTGCC	2505
Qy	763	AsnPheThrGlyProThrCysAlaGinGinIeuTrpCysProGlyGinProCysLeuPro	782
Ds	2506	AATTCACGGGGCCCTACGTGTCGCCAGCAGCTGTGGTGTCCCGGCCAGCCCCTGCTCCA	2565
Qy	783	ProAlaThrCysGluGluValProAspGlyPheValCysValAlaGluAlaThrPheArg	802
Ds	2566	CCTGCCACGTGTGAGGGAGTCCCTGATGGCTTGTGTGTGGCGAGGCCACGTTCCGC	2625
Qy	803	GluGlyProProAlaAlaAlaPheSerGlyHisAsnAlaSerSerGlyArgLeuLeuGly	822
Ds	2626	GAGGGTCCCCCGCCGCGTCAAGCGGGCACAAAGGGCTGTCAGGGCCTTGGCTGGGGC	2685
Qy	823	LeuSerLeuAlaPheArgThrArgAspSerGluAlaTrpLeuLeuArgAlaAlaAlaGly	842
Ds	2686	CTGTCGCTGGCCCTTCGACGCCGCACTCCGAGGCCCTGGCTGCGTGCCTGGCGGGGGC	2745
Qy	843	AlaLeuGluGlyValTrpLeuAlaValArgAsnGlySerLeuAlaGlyGlyValArgGly	862
Ds	2746	GCCCCCTGGAAAGGCGTGTGCTGGGGTGGCGCAATGGCTGCGTGGCGGGGGCGTGGCGGA	2805
Qy	863	GlyHisGlyLeuProGlyAlaValLeuProIleProGlyProArgValAlaAspGlyAla	882
Ds	2806	GGCCATGGCCTGCCCGCGCTGTGCTGCCATACCGGGGGCGCGCTGGCGATGGTGCC	2865
Qy	883	TrpHisArgValArgLeuAlaMetGluArgProAlaAlaAlaThrSerArgTrpLeuLeu	902
Ds	2866	TGGCACCGCGTGCCTGGCCATGGAGCGCCCGCGCCACACCTCGCGCTGGCTGCTG	2925

Art Unit: 1647

Qy	903	TrpLeuAspGlyAlaAlaAlaThrProValAlaLeuArgGlyLeuAlaSerAspLeuGlyPhe 	922
Db	2926	TGGCTGGATGGTGC CGCCACCCCGGTGGCGCTGGCGGCCCTGGCCAGTGACCTGGCTTC 2985	
Qy	923	LeuGlnGlyProGlyAlaValAlaIleLeuLeuAlaGluAsnPheThrGlyCysLeuGly 	942
Db	2986	CTGCAGGGGCCCGGCTGGCTGTGGCATCTCTGGCTGGAGAACCTCACCGGCTGCTGGC 3045	
Qy	943	ArgHisPheAlaSerTrpProGlyThrProAlaProIleLeuGlyCysArgGlyAlaPro 	962
Db	3046	CGGCACTTGCCTGCTTGGCTGGGACGCCGCCGATCTCGGCTGCCGGCGCCGCC 3105	
Qy	963	ValCysAlaProSerProCysLeuHisAspGlyAlaCysArgAspLeuPheAspAlaPhe 	982
Db	3106	GTGTTGCGGCCCTGGCCCTGCTGTCAGACGGGTTGCTGCCGTCACCTCTTGAGGCC 3165	
Qy	983	AlaCysAlaCysGlyProGlyTrpGluGlyProArgCysGluAlaHisValAspProCys 	1002
Db	3166	GCCTGCGCCCTGCGGCCGGGGTGGGAAGGCCGCGCTGCGAAGCCCACGTCGACCC 3225	
Qy	1003	HisSerAlaProCysAlaArgGlyArgCysHisThrHisProAspGlyArgPheGluCys 	1022
Db	3226	CACTCGGCCCTCGGCCGCTGGCCGCTGTCAACAGCACCCTGACGGCCGCTTGGAG 3285	
Qy	1023	ArgCysProProGlyPheGlyGlyProArgCysArgLeuProAlaProSerLysGluCys 	1042
Db	3286	CGCTGCCGCCCTGGCTTCGGGGGCCCGCGCTGCAAGGTTGCTGCCCCATCCAAGGAG 3345	
Qy	1043	SerLeuAsnValThrCysLeuIspGlySerProCysGluGlyGlySerProAlaAlaAsn 	1062
Db	3346	AGCCTGAATGTCACCTGCTCGATGGCAGCCCATGTYGAGGGTGCTCTCCGC 3405	
Qy	1063	CysSerCysLeuGluGlyLeuAlaGlyGlnArgCysGlnValProThrLeuProCysGlu 	1082
Db	3406	TGCAGCTGCCCTGGAGGTCTTGCTGCCAGAGGTGTCAGGTCCCCACTCTCC 3465	
Qy	1083	AlaAsnProCysLeuAsnGlyGlyThrCysArgAlaAlaGlyGlyValSerGluCysIle 	1102
Db	3466	GCCAAACCCCTGCTTGATGGGGCACCTGCCGGCAGCTGGAGGGGTCTG 3525	
Qy	1103	CysAsnAlaArgPheSerGlyGlnPheCysGluValAlaLysGlyLeuProLeuProLeu 	1122
Db	3526	TGCAATGCCAGATTCTCGGCCAGTCTCTGTAAGTGGCAAGGGCTGCC 3585	
Qy	1123	ProPheProLeuLeuGluValAlaValProAlaAlaCysAlaCysLeuLeuLeuLeu 	1142
Db	3586	CCATTCCCACCTGAGGTGGCGTAGCTCGACGCTTGCTGCCCTCT 3645	
Qy	1143	LeuGlyLeuLeuSerGlyIleLeuAlaAlaArgLysArgArgGlnSerGluGlyThrTyr 	1162
Db	3646	CTGGGCCCTCTTTCAGGGATCTCGCAGCCGAAAGCGCCGCACTG 3705	
Qy	1163	SerProSerGlnGlnGluValAlaGlyAlaArgLeuGluMetAspSerValLeuLysVal 	1182
Db	3706	AGCCCCAAGCCAGCAGGAGGTGGCTGGGGCCGGCTGGAGATGGACAGTGT 3765	
Qy	1183	ProProGluGluArgLeuIle 	1189
Db	3766	CCACCGGAGGAGAGACTCATC 3786	